

REMARKS

In the Office Action, claims 1, 6-7, and 10-16 were rejected under 35 USC section 102(b) as being anticipated by Burge US patent 1,023,620. Claims 1-2, 6-7, 12-13, 16 and 18 were rejected under 35 USC section 102(b) as being anticipated by Bainbridge et al US patent 4,632,410. Claims 1-4, 6-8, 12-13 and 16-19 were rejected under 35 USC section 102(b) as being anticipated by Bujaryn US patent 5,542,746. Claims 1-4 and 12 were rejected under 35 USC section 102(e) as being anticipated by Moglin et al US patent 7,134,719. Claims 3-4 were rejected under 35 USC section 103(a) as being unpatentable over Bujaryn in view of Onishi US patent 6,776,452. Claim 5 was rejected under 35 USC section 103(a) as being unpatentable over Bujaryn in view of Callegari US patent 6,269,578. Claims 9 and 20 were rejected under 35 USC section 103(a) as being unpatentable over Bujaryn view of Sakurai US patent 6,418,318.

By this response, claims 6, 8 and 13 been canceled. Independent claims 1 and 12 been amended in a manner believed to patentably define over the references.

Claim 1 is amended to emphasize the unique construction of the rollers which provide movement of the desk on a support surface such as a floor. Specifically, claim 1 has been amended to state that the base of the desk includes a front base member, a rear base member and a central axial base member extending between and interconnecting the front base member and the rear base member. Claim 1 has been amended to state that each of the front and rear base members defines a pair of spaced apart, outwardly facing ends located one on each side of the central base member. Claim 1 also states that the front and rear base members include rollers that engage the support surface. The rollers are defined as being incorporated in end-type casters, each of which comprises a tubular body member positioned over one of the outwardly facing ends of one of the base members, and a roller member carried by the tubular body member.

Amended claim 1 incorporates the subject matter of original claim 8, and further expands on the structure of the end-type casters. In originally rejecting claim 8, the Examiner relied on the Bujaryn reference. While Bujaryn discloses rollers or casters, the rollers or casters are of conventional construction and are located under the structure of the base to which the rollers or casters are mounted. This is in contrast to the present invention as claimed, in which each roller is in the form of the tubular body positioned over one of the ends of one of the base members, in combination with a roller member carried by the tubular body.

The desk construction of the present invention, incorporating the end-type rollers as set forth in amended claim 1, provides a clean, low profile desk that is configured to enable easy and unobstructed ingress and egress by a user. The prior art does not show or suggest a desk as defined in amended claim 1, and accordingly claim 1 is believed allowable.

Claims 2-5, 7 and 9-11 depend directly or indirectly from claim 1, and are believed allowable for the above reasons as well as in view of the subject matter of each claim.

Claim 12 has been amended to emphasize the unique configuration of the base incorporated in the desk of the present invention. Specifically, claim 12 calls for a base that includes a front transverse base member, a rear transverse base member, and a central axial base member extending between and interconnecting the front and rear transverse base members. Claim 12 is amended to state that the front transverse base member, the rear transverse base member and the central axial base member lie in a common plane oriented parallel to the support surface. In addition, claim 12 is amended to state that the rear transverse base member includes a central section that is interconnected with the central axial base member, and a pair of end sections that extend rearwardly and laterally relative to the central section. Each end section is defined as terminating in an outer end. In addition, claim 12 is amended to state that the roller arrangement comprises a pair of laterally spaced front rollers secured to the front transverse base member on opposite sides of the central axial base member, and a pair of laterally spaced rear rollers secured to the rear transverse base member on opposite sides of the central axial base member. Claim 12 also calls for an upwardly extending seat support member defining a lower end secured to the base. The rear rollers are defined as being interconnected with the end sections of the rear transverse base member, and as being located toward the outer end of the end sections. The rear rollers are further defined as being positioned so as to be located outwardly and rearwardly relative to the seat.

The references do not show or suggest the subject matter of amended claim 12. The Burge, Bujaryn and Moglin references show base constructions in which a number of arms, including a rearwardly extending arm, extend outwardly from a central hub that is located below the seat. In each case, a pair of arms extend outwardly in opposite directions from the sides of the seat, in combination with the rearwardly extending arm. In contrast, the present invention as set forth in amended claim 12 contemplates a transverse, rear base member that has end portions that extend rearwardly and outwardly relative to a central section, with the rear rollers being located rearwardly

of the seat. Again, this construction provides a clean, easily accessible desk which resists rearward tipping movement of the seat without the inconvenience caused by an arm that extends directly rearwardly from the seat.

For the above reasons, amended claim 12 is believed to patentably define over the references. Claims 14-20 depend directly or indirectly from claim 12, and are believed allowable for the above reasons as well as in view of the subject matter of each claim.

Applicant's attorney has made every effort to please the application into condition for allowance with claims 1-5, 7, 9-12 and 14-20, and such action is earnestly requested.

The Examiner is encouraged to contact the undersigned by phone if questions remain after consideration of this response, or if such would otherwise facilitate prosecution.

Respectfully submitted,

By



Andrew S. McConnell

Reg. No. 32,272

Boyle Fredrickson, S.C.
840 North Plankinton Avenue
Milwaukee, WI 53203
(414) 225-9755
Customer No.: 23598